

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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BRANDON BIERBRAUER,

Case No. 24-cv-3812 (LMP/DJF)

Plaintiff,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

DOC; ZAHN & CANINE PARTNER,  
CCO<sup>1</sup>; HENRY D. PADELFORD;  
ADAM C. KODET; SHANE M.  
JONES; DENNIS ZAHN; STACI  
STONE; BRYAN F. DETTLOFF;  
LIVINGSTON; and CHRYSTAL  
ANDERSON,

Defendants.

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This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Dulce J. Foster, entered December 19, 2024. The R&R concludes that, pursuant to 28 U.S.C. § 1915A(b), Defendant Canine Partner should be dismissed from this action with prejudice, and all other Defendants except Dennis Zahn should be dismissed from this action without prejudice. ECF No. 12 at 4. Neither party objects to the R&R, *see* Fed. R. Civ. P. 72(b), so the Court reviews it for clear error, *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam).

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<sup>1</sup> The docket lists Zahn & Canine Partner, CCO, as a single party. The Court understands “Zahn” to refer to Defendant Dennis Zahn, who is separately identified as an individual defendant. References in this Order to “Defendant Canine Partner” mean “Zahn & Canine Partner” as it appears in the docket and are not intended to refer to, and do not include, Defendant Dennis Zahn.

Finding no clear error in the R&R, and based upon all the files, records, and proceedings in the above-captioned matter, **IT IS HEREBY ORDERED THAT:**

1. The R&R is **ADOPTED IN FULL**;
2. Defendants DOC, Henry D. Padelford, Adam C. Kodet, Shane M. Jones, Staci Stone, Bryan F. Dettloff, Livingston, and Chrystal Anderson are **DISMISSED WITHOUT PREJUDICE** from this action pursuant to 28 U.S.C § 1915A(b); and
3. Defendant Canine Partner is **DISMISSED WITH PREJUDICE** from this action pursuant to 28 U.S.C. § 1915A(b).<sup>2</sup>

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: January 22, 2025

*s/Laura M. Provinzino*

Laura M. Provinzino  
United States District Judge

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<sup>2</sup> To avoid any doubt, Defendant Dennis Zahn is the sole remaining defendant in this action.